

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WHITNEY NATIONAL BANK,)	
)	
Plaintiff,)	
)	CIV. ACT. NO. 2:07cv415-ID
v.)	
)	
HIGHWAY SOLUTIONS, LLC, et al.,)	
)	
Defendants.)	

ORDER

Before the court is a Notice of Stay of Proceedings (Doc. No. 36), by which Defendant Highway Solutions, LLC, notifies the court that it has filed a Chapter 11 bankruptcy petition. Accordingly, it is CONSIDERED and ORDERED that, pursuant to 11 U.S.C. § 362(a), this litigation with respect to Defendant Highway Solutions, LLC, be and the same is hereby STAYED.

The Marcato Defendants and Defendant Highway Solutions, LLC, are hereby DIRECTED to file a report with the court on December 6, 2007, as to the status of their respective bankruptcy proceedings and again on February 28, 2008, if necessary.

It is further CONSIDERED and ORDERED that Plaintiff Whitney National Bank's Motion for Summary Judgment as to Defendant Highway Solutions, LLC, (see Doc. No. 34) be and the same is hereby DENIED without prejudice with leave to renew when the stay has been lifted.

DONE this 27th day of September, 2007.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE